

Hearing Date and Time: July 25, 2016 at 10:00 a.m. (Prevailing Eastern Time)

**HOGAN LOVELLS US LLP**

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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re**

**LEHMAN BROTHERS HOLDINGS INC., et al.,  
Debtors.**

**Chapter 11  
Case No. 08-13555 (SCC)  
(Jointly Administered)**

**DECLARATION OF PIETER VAN TOL IN SUPPORT OF  
PRE-HEARING BRIEF OF DR. THOMAS MARSONER IN SUPPORT OF MOTION  
TO DEEM PROOFS OF CLAIM TO BE TIMELY FILED BY THE CLAIMS BAR DATE**

I, Pieter Van Tol, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a partner with Hogan Lovells US LLP, counsel for Dr. Thomas Marsoner ("Dr. Marsoner"), and am an attorney duly admitted to practice in this Court. I respectfully submit this declaration in order to provide the Court with copies of various documents referenced in the Pre-Hearing Brief of Dr. Thomas Marsoner in Support of Motion to Deem Proofs of Claim to be Timely Filed by the Claims Bar Date.

2. Attached hereto as Marsoner Exhibit 1 is a true and correct copy of Dr. Marsoner's deposition transcript dated December 15, 2015.

3. Attached hereto as Marsoner Exhibit 2 are true and correct copies of advisory services agreements between Dr. Marsoner and Lehman Brothers Europe Limited ("LBEL") dated March 21, 2001 (Marsoner00000727-34), July 24, 2002 (Marsoner00000715-26), February 13, 2004 (Marsoner00000708-14), May 5, 2006 (Marsoner00000701-07), and October 5, 2007 (Marsoner00000686-92).

4. Attached hereto as Marsoner Exhibit 3 is a true and correct copy of Vittorio Pignatti's deposition transcript dated November 16, 2015.

5. Attached hereto as Marsoner Exhibit 4 is a true and correct copy of an excerpt of Lehman Brothers Holdings Inc.'s ("LBHI") 2007 Annual Report listing its Senior Leadership.

6. Attached hereto as Marsoner Exhibit 5 is a true and correct copy of an email dated November 26, 2005 from Thomas Bernard to Steve Hannan, Patrick Schmitz-Morkramer, and Peter Sherratt with a subject of "F1 Group sold to CVC Capital Partners for undisclosed sum" (LEH\_0000204).

7. Attached hereto as Marsoner Exhibit 6 is a true and correct copy of an email dated December 1, 2005 from Dr. Marsoner to Thomas Bernard with a subject of "F1 Group sold to CVC Capital Partners for undisclosed sum" (LEH\_0000214-17).

8. Attached hereto as Marsoner Exhibit 7 is a true and correct copy of LBHI's Response to Dr. Marsoner's Interrogatory No. 1: Job Titles and Positions.

9. Attached hereto as Marsoner Exhibit 8 is a true and correct copy of excerpts of Peter Sherratt's deposition transcript dated November 13, 2015.

10. Attached hereto as Marsoner Exhibit 9 is a true and correct copy of Ruggero Magnoni's deposition transcript dated November 17, 2015.

11. Attached hereto as Marsoner Exhibit 10 is a true and correct copy of an email dated May 31, 2006 from Mona Adler to Peter Calistri with a subject of "Marsoner – consulting europe" (LEH\_0000309).

12. Attached hereto as Marsoner Exhibit 11 is a true and correct copy of Dr. Marsoner's Bank Statements showing payments from LBHI.

13. Attached hereto as Marsoner Exhibit 12 is a true and correct copy of an email dated July 4, 2007 from Dr. Marsoner to Jeremy Isaacs with a subject of "Thanks for the Coffee" (Marsoner 00000069-70).

14. Attached hereto as Marsoner Exhibit 13 is a true and correct copy of an email dated June 13, 2007 from Graham Wilson to Dr. Marsoner with a subject of “Schedule”.

15. Attached hereto as Marsoner Exhibit 14 is a true and correct copy of an email dated March 5, 2007 from Michael Odrich to Vittorio Pignatti with a subject of “Bawag Sweet [sic] Equity” (LEH\_000201-02.)

16. Attached hereto as Marsoner Exhibit 15 is a true and correct copy of an advisory services agreement between Dr. Marsoner and LBEL dated October 5, 2007 attached to email dated September 19, 2008 from Aaron Johari to Guy Reynolds, Clodagh Hayes, Jason Shelly, Iain Wagstaff, and Bruce Railton, copying Marco Pierettori (LEH\_0000384 and 389-95).

17. Attached hereto as Marsoner Exhibit 16 is a true and correct copy of an email dated October 27, 2008 from Dr. Marsoner to Allyson Carine, copying Jim Pucciarelli, Mary Myszkowski, and Fran Aorta, with a subject of “FX collar Termination Notice of October 2”.

18. Attached hereto as Marsoner Exhibit 17 is a true and correct copy of (i) Proofs of Claim Nos. 9058 and 10984, (ii) Consulting Agreement dated October 12, 2007 between LBEL, Alderton LLC, and Patrizia Micucci (LEH\_0000398-398\_009), (iii) Consultancy Agreement dated August 1, 2008 between Marco Figus and LBEL (LEH\_0000399\_001-016), and (iv) excerpts of Corrected Affidavit of Service [Docket No. 9395].

19. Attached hereto as Marsoner Exhibit 18 is a true and correct copy of excerpts of Angharad Bowdler’s deposition transcript dated December 2, 2015.

20. Attached hereto as Marsoner Exhibit 19 is a true and correct copy of excerpts of Steven Kotarba’s deposition transcript dated December 22, 2015.

21. Attached hereto as Marsoner Exhibit 20 is a true and correct copy of a Consent Order dated June 19, 2014 between Dr. Marsoner and Dan Schwarzmman, Anthony Lomas, Steven Pearson, and Julian Parr as Joint Administrators of LBEL.

22. Attached hereto as Marsoner Exhibit 21 is a true and correct copy of excerpts of Thomas Behnke's deposition transcript dated January 11, 2016.

23. Attached hereto as Marsoner Exhibit 22 are a true and correct copies of invoices from Dr. Marsoner to LBEL (LEH\_0000503, 678, 679, 680 and 683).

24. The foregoing is true to the best of my knowledge, information, and belief.

Dated: July 20, 2016  
New York, New York

**HOGAN LOVELLS US LLP**

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